

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

LOCAL 8027, AFT-NEW HAMPSHIRE, AFL-CIO, RYAN)
RICHMAN, JOHN DUBE and JOCEYLN MERRILL,)
teachers in the New Hampshire Public Schools, and)
KIMBERLY GREEN ELLIOTT and MEGHAN EVELYN)
DURDEN, parents or guardians of children in the New)
Hampshire public schools.)

Plaintiffs,)

v.)

FRANK EDELBLUT, in his Official Capacity as)
Commissioner of the DEPARTMENT OF EDUCATION)
("DOE"), CHRISTIAN KIM in his Official Capacity as the)
Chair of the NEW HAMPSHIRE COMMISSION ON)
HUMAN RIGHTS, and JOHN FOMELLA in his Official)
Capacity as ATTORNEY GENERAL of the State of New)
Hampshire.)

Defendants.)

Civil No. 1:21-cv-01077-PB

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ANDRES MEJIA,)
CHRISTINA KIM PHILIBOTTE, and)
NATIONAL EDUCATION ASSOCIATION-NEW)
HAMPSHIRE,)

Plaintiffs,)

v.)

FRANK EDELBLUT, in his official capacity only as the)
Commissioner of the New Hampshire Department of)
Education,)
JOHN M. FORMELLA, in his official capacity only as the)
Attorney General of the State of New Hampshire,)
AHNI MALACHI, in her official capacity only as the)
Executive Director of the New Hampshire Commission for)
Human Rights,)
CHRISTIAN KIM, in his official capacity)
only as the Chair of the New Hampshire Commission for)
Human Rights,)
KEN MERRIFIELD, in his official capacity only as the)
Commissioner of the Department of Labor,)

Defendants.)

THE PARTIES' JOINT SUBMISSION OF LEGISLATIVE HISTORY

Pursuant to this Court's April 18, 2022 Order requiring the parties to "jointly file a Bates-stamped copy of the agreed-upon complete legislative history of the challenged state statute," the parties hereby submit the following:

1. The complete legislative history of HB544 at Exhibit A. Further, the legislative history of this bill includes:
 - The public hearing before the House Executive Departments and Administration Committee on February 11, 2021, including introduction by sponsor (1:31:49-2:01:00): <https://www.youtube.com/watch?v=ycrODcuaLDc&t=5664s>
 - The public hearing before the House Executive Departments and Administration Committee on February 18, 2021 (3:31:44-6:45:45): <https://www.youtube.com/watch?v=0ClyrvZ-lv4&t=15017s>
 - The March 4, 2021 executive session before the House Executive Departments and Administration Committee (11:00-24:03 [on amending the bill] and 1:53:10-2:38:58 [on recommending "ought to pass" on the bill, as amended]): https://www.youtube.com/watch?v=_sbdYs-NTkk
 - The April 8, 2022 full session of the House of Representatives in which HB544 was laid on the table by a vote of 347 to 18 (3:21:51 PM-3:25:18 PM): <http://sg001-harmony.sliq.net/00288/Harmony/en/PowerBrowser/PowerBrowserV2/20210408/-1/23562#info>
2. The legislative history of HB2, including only the portions related to the challenged law (unless otherwise noted), at Exhibit B. Further, the relevant legislative history of this bill includes:
 - March 23, 2021 House Finance (Division 1) Committee meeting where HB544 was discussed and recommended to be added to HB2 through Amendment 2021-0925h by a vote of 4 to 3 (1:31:25-1:33:13): <https://www.youtube.com/watch?v=D7CQl5cLkQ8>
 - March 29, 2021 House Finance Committee executive session discussion on HB2, including Amendment 2021-0925h adding HB544 (brief discussion at 1:09:00): <https://www.youtube.com/watch?v=xtKs2gFPIUA>
 - March 31, 2021 House Finance Committee executive session on Final HB2 House Version (Amendment 2021-1059h), Which Contained HB544 from Amendment 2021-0925h: <https://www.youtube.com/watch?v=XcWBGJ4Ch3Y&t=1270s>

- The April 7, 2022 full session of the House of Representatives in which there was debate on Amendment 2021-1063h that would have stripped provisions at issue from HB2 (rejected by a vote of 186 to 193), as well as debate as to whether remarks should be printed in the permanent journal (1:08:05 PM-1:44:35 PM), and debate and vote on final HB2 (approved by a vote of 200 to 181) (2:28:25 PM-2:47:10 PM): <http://sg001-harmony.sliq.net/00288/Harmony/en/PowerBrowser/PowerBrowserV2/20210407/-1/23560>
- May 4, 2021 Public Hearing Before Senate Finance Committee on House Version of HB2: <https://www.youtube.com/watch?v=MMAIh4EPB5k>
- May 26, 2021 Senate Finance Committee deliberations on addition of challenged law provisions to HB2 through Amendment 2021-1770s (55:00-1:10:02): <https://www.youtube.com/watch?v=DukeJNg8cR8>
- May 27, 2021 Senate Finance Committee deliberations on addition of challenged law provisions to HB2 through Amendment 2021-1770s, including “ought to pass recommendation” by vote of 4 to 2 (21:40-28:05): <https://www.youtube.com/watch?v=0AbLc51xKrU>
- May 28, 2021 Senate Finance Committee executive session on final HB2 Senate version (2021-1799s), which included Amendment 2021-1770s (1:18:15-1:20:15): <https://www.youtube.com/watch?v=jsodCysC--g>.
- The June 3, 2021 full session of the Senate in which there was debate on Amendment 2021-1815s that would have stripped the challenged law from HB2 (7:43:19 PM-8:40:10 PM) (amendment rejected by a vote of 9 to 14), with vote on final version of HB2 containing challenged law at 9:09:40 PM-9:10:40 PM (approved by a vote of 14 to 9): <https://sg001-harmony.sliq.net/00286/Harmony/en/PowerBrowser/PowerBrowserV2/20210603/-1/23574#agenda>
- June 14, 2021 Committee of Conference meeting on HB2: <https://www.youtube.com/watch?v=FZJQL7zpPns>
- June 15, 2021 Committee of Conference meeting on HB2: <https://www.youtube.com/watch?v=wwHSWl6FQV0>
- June 16, 2021 Committee of Conference meeting on HB2: <https://www.youtube.com/watch?v=HrRS1quLiTw>
- June 17, 2021 Committee of Conference meeting on HB2: <https://www.youtube.com/watch?v=UX3jz2zD2bQ>

- June 24, 2021 House of Representatives debate and vote on final HB2 Committee of Conference Report, as well as debate as to whether remarks should be printed in the permanent journal and on motion for reconsideration (11:58:40 AM-1:41:10 PM) : <http://sg001-harmony.sliq.net/00288/Harmony/en/PowerBrowser/PowerBrowserV2/20210624/-1/23581>

Time stamps where challenged law is discussed: 12:04:00-12:06:00 (Rep. Espitia, 12:06:39-12:11:22 (Rep. Harriott-Gathright), 12:17:33-12:23:45 (Rep. Mangipudi), 12:29:17-31:39 (Rep. Schuett; 12:31:55-12:34:20 (Rep. Wazir), 1:15:53-1:23:10 (Rep. Tanner), 1:32:45-1:33:40 (Rep. Wallner), 1:33:40.

- June 24, 2021 Senate debate and vote on final HB2 Committee of Conference Report (10:36:21 AM-12:28:18 PM): <https://sg001-harmony.sliq.net/00286/Harmony/en/PowerBrowser/PowerBrowserV2/20210624/-1/23580#agenda>

Time stamps where challenged law is discussed: 11:01:30-11:08:28 (Sen. Watters), 11:16:29-11:30:28 (Sen. Whitley), 12:03:17-12:06:15 (Sen. Soucy).

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By and through their attorneys,

/s/ Peter J. Perroni

NOLAN PERRONI PC
NH Bar. No. 16250
73 Princeton Street
North Chelmsford, MA 01863
(978) 454-3800
peter@nolanperroni.com

STROOCK & STROOCK & LAVAN LLP
Charles G. Moerdler, Esq.*
David J. Kahne, Esq.*
180 Maiden Lane
New York, New York 10038
(212) 806-5400
cmoerdler@stroock.com

SELENDY & GAY PLLC
Faith Gay, Esq.*
1290 6th Avenue
New York, NY 10104
(212) 390-9000
fgay@selendygay.com

AMERICAN FEDERATION OF TEACHERS
David J. Strom*
555 New Jersey Ave. NW
Washington DC 20001
(202) 393-7472
dstrom@aft.org

PHILLIPS, RICHARD & RIND, P.A.
Mark Richard*
9360 S.W. 72nd Street, Suite 283
Miami, FL 33137
(305) 412-8322

ANDRES MEJIA AND CHRISTINA KIM PHILIBOTTE,

By and through their attorneys,

/s/ Gilles R. Bissonnette

Gilles R. Bissonnette (N.H. Bar. No. 265393)
Henry R. Klementowicz (N.H. Bar No.
21177)

SangYeob Kim (N.H. Bar No. 266657)
AMERICAN CIVIL LIBERTIES UNION OF NEW
HAMPSHIRE
18 Low Avenue, Concord, NH 03301
Tel. 603.224.5591
gilles@aclu-nh.org
henry@aclu-nh.org
sangyeob@aclu-nh.org

Chris Erchull (N.H. Bar No. 266733)
GLBTQ LEGAL ADVOCATES & DEFENDERS
18 Tremont, Suite 950
Boston, MA 02108
Tel.: 617.426.1350
cerchull@glad.org

Sarah J. Jancarik (N.H. Bar No. 272310)
DISABILITY RIGHTS CENTER-NEW HAMPSHIRE
64 N Main St, Ste 2
Concord, NH 03301-4913
Tel.: 603.228.0432
Sarahj@drnh.org

William E. Christie (N.H. Bar No. 11255)
S. Amy Spencer (N.H. Bar No. 266617)
SHAHEEN & GORDON, P.A.
107 Storrs Street
P.O. Box 2703
Concord, NH 03302
Tel.: 603.225.7262
wchristie@shaheengordon.com
saspencer@shaheengordon.com

/s/ David A. Vicinanzo

David A. Vicinanzo (N.H. Bar No. 9403)
NIXON PEABODY LLP
900 Elm Street, 14th Floor
Manchester, NH 03101
Tel.: 603.628.4000
dvicinanzo@nixonpeabody.com

Travis Hill*
NIXON PEABODY LLP
55 West 46th Street
New York, NY 10036-4120
Tel.: 212.940.3131
thill@nixonpeabody.com

Morgan C. Nighan (N.H. Bar No. 21196)
NIXON PEABODY LLP
Exchange Place
53 State Street
Boston, MA 02109-2835
Tel.: 617.345.1031
mnighan@nixonpeabody.com

Emerson Sykes*
Speech, Privacy, and Technology Project
Leah Watson*
Sarah Hinger*
Racial Justice Program
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Tel.: 212.549.2500
esykes@aclu.org
lwatson@aclu.org
shinger@aclu.org

NATIONAL EDUCATION ASSOCIATION-
NEW HAMPSHIRE,

By and through its attorneys,

/s/ Esther K. Dickinson

Esther K. Dickinson (N.H. Bar No. 20764)

Lauren Snow Chadwick (N.H. Bar No. 20288)

Staff Attorneys

NATIONAL EDUCATION ASSOCIATION-

NEW HAMPSHIRE

9 South Spring Street

Concord, NH 03301-2425

Tel.: 603.224.7751

edickinson@nhnea.org

lchadwick@nhnea.org

Nathan R. Fennessy (N.H. Bar No. 264672)

Rue K. Toland (N.H. Bar No. 269021)

PRETI FLAHERTY BELIVEAU & PACHIOS LLP

57 North Main Street

Concord, NH 03301

Tel.: 603.410.1500

nfennessy@preti.com

rtoland@preti.com

Alice O'Brien*

Jason Walta*

NATIONAL EDUCATION ASSOCIATION

1201 Sixteenth St. NW

Washington, DC 20036

Tel: 202.822.7035

aobrien@nea.org

jwalta@nea.org

*Admitted *pro hac vice*.

Frank Edelblut, Commissioner, New Hampshire Department of Education,
Christian Kim, Chair of the New Hampshire Commission on Human Rights,
John M. Formella, Attorney General of the State of New Hampshire,
Ahni Malachi, Executive Director of the New Hampshire Commission on Human Rights,
Ken Merrifield, New Hampshire Department of Labor,

By their attorneys,

John M. Formella
Attorney General

/s/ Samuel Garland
Samuel Garland (N.H. Bar No. 266273)
N.H. Department of Justice
Civil Bureau
33 Capitol Street
Concord, NH 03301
Tel. 603.271.3658
samuel.garland@doj.nh.gov

May 16, 2022